

Bay Delta Conservation Plan (BDCP)

Steering Committee Meeting

April 20, 2007, 9:00 a.m. to 12:00 p.m.

Resources Agency Bldg., Room 1131

Meeting Notes

Associated documents/handouts:

- Agenda
- Science Workgroup 3/20/07 Meeting Notes
- Steering Committee 3/23/07 Meeting Notes
- Handout #1- Draft Conservation Objectives (Version 3)
- Handout #2- Draft Conservation Strategy Alternatives Descriptions
- Handout #3- Draft Short-listing Criteria
- Science Workgroup Handout- Scope of Work for Science Advisors Facilitator and Lead Scientist
- List of potential candidates for Science Advisors Lead Scientist (with brief biographical information)- not for public distribution
- List of potential candidates for Science Advisors Facilitator position (with brief biographical information)- not for public distribution

Action Items and Key Decisions

- The Resources Agency will coordinate a presentation by BDCP members to DRMS Steering Committee as soon as possible.
- DFG will review the NCCPA statutes and past processes to confirm that the proposed Scope of Work for the Lead Scientist and Facilitator fits with NCCP standards for independence; they will focus on the timing and pathways of communication between the Lead Scientist and BDCP SC.

Updates

- Covered Activities Workgroup will distribute the final Covered Activities to SC members in advance of the next SC meeting and will present them for discussion at that meeting.
- Alameda/DWR court case update: Resource agencies are working together to find a solution. DWR requested consistency determination from DFG on current Biological Opinion. DFG is reviewing that request. Re-consultation on OCAP has started and should be complete by Spring 2008. Consistency Determination on that biological opinion will be requested at that time. The OCAP process fits into BDCP and larger Delta planning processes and addresses near-term strategies and planning activities, while BDCP is a longer-term incidental take permitting process. BDCP is also coordinating with DRMS, ERP, and Delta Vision.
- Regulatory relationship between BDCP and OCAP Biological Opinion needs to be addressed/defined; BDCP relationship with other Delta planning processes and groups (e.g., DRMS, Delta Vision, Interagency Water Operations Fisheries Forum) also needs to be addressed in the near future. To do so, the Steering Committee may form a Regulatory Compliance Workgroup. Discussion of need for this workgroup may be discussed at the 5/4 SC meeting.

- Senate Natural Resources Committee met last week and will meet again 5/8 in order to learn about and discuss solutions for Delta management. SB 27 (Sacramento-San Joaquin River Delta, Clean Drinking Water, Water Supply Security, and Environmental Improvement Act of 2008; brought by Senator Simitian) has been approved by that Committee and will move to the full senate. If passed and signed, SB27 could affect the BDCP process and outcome.
- Note on terminology: in BDCP context “interim” refers to pre-BDCP permit activities; if Conservation Strategy includes large engineering/construction projects, “early implementation” refers to activities between permitting and completion of major facilities construction; “long-term implementation” refers to activities which occur after construction is complete.

Review of Meeting Summaries

Steering Committee 3/23 Meeting Notes approved with no changes.

Presentation and Discussion of Delta Risk Management Strategy (DRMS) (Leslie Harder)

DRMS goal, as established in the CALFED Record of Decision, is to analyze current and future risk in the Delta due to levee-failure and identify consequences and potential risk-reduction measures. The levees present multiple management and risk analysis challenges, such as poor construction, size and geographic spread (1100 miles long), deterioration due to a variety of environmental stressors (e.g. under-seepage, wind and wave activity, seismic). Risk will continue to increase in the Delta consequent to sea level rise and subsidence of islands. Levees deteriorate by settling into soft ground or erosion of the top surface. Delta has not experienced significant earthquake shaking recently but the Hayward, San Andreas, Calaveras, and a number of hidden faults run near and through the area; a large earthquake could cause flooding of 16-20 islands. Salt water from bay would be drawn in, causing flooding and could require shut down water exports from SWP/CVP and other diversions.

DRMS risk analysis is currently in Phase 1, which includes analysis of hazards and modeling of levee performance and impacts. First consultant report is due shortly, and the final Phase 1 report will be complete 8/07. In Phase 2, which will begin 6/5/07, management scenarios will be selected for modeling and analysis. Possible risk reduction solutions include, e.g., levee improvements, maintenance, land form changes, subsidence management, pre-flooding islands, barriers, water operations, ecosystem enhancement. DRMS is currently only looking at in-Delta solutions, i.e., is not considering isolated facility/conveyance measures or north of Delta storage or locks.

After L. Harder’s presentation, the SC members discussed the relationship between DRMS and BDCP. Members suggested that DRMS include an isolated facility scenario as well as the short-list of BDCP CSA’s in their management scenario analysis and modeling efforts during Phase 2. A suggestion was made that levee operation be included in BDCP Covered Activities. There was agreement that BDCP should present their work and progress to the DRMS Steering Committee as soon as possible in order to find points of collaboration and request that Phase 2 DRMS management scenario analysis include BDCP Short List

CSA's. The Resources Agency will help coordinate this meeting. See also Action Items and Key Decisions.

Science Workgroup: Update and Discussion

Workgroup is chaired by Ann Hayden and Brent Walthall with coordination support from Cindy Darling, Laura King Moon, and SAIC.

See Science Workgroup Meeting Summary for further information on recent meetings.

Independent Science

Modified recommendations were presented. Previously, the Workgroup proposed a strong Lead Scientist and advisors with strictly administrative support from a Facilitator. Their new proposal is for a stronger Facilitator role. The revised proposed approach would be to hire a Facilitator with expertise in developing NCCP's, and the Lead Scientist would have expertise in one of the key disciplines and familiarity with Delta processes and science-based policy development. The Facilitator and Lead Scientist would work with the SC to develop final scope of work. See Handout.

Scopes of Work for the Lead Scientist and Facilitator were edited, and the Workgroup will incorporate those changes and continue their search, interview, and hiring process. K. Scarborough will contact potential candidates to determine availability. SC will develop interview process, then a small group from the Steering Committee will interview final candidates and make hiring recommendations to the SC.

Discussion followed with several key points made by members. The BDCP is trying to achieve NCCP standard, and therefore both the Facilitator and Lead Scientist should be familiar with the regulations. Communication between the Lead Scientist and BDCP SC was discussed at length; the SC agreed that the Lead Scientist should be working directly with the SC during the input phase of the Independent Science process, but should not be in communication during the deliberative process. DFG will review the NCCP statutes and past processes to confirm that this relationship meets NCCP standards for independence. Also see Action Items and Key Decisions.

Informal early science input process

On Thursday 4/19 Denise Reed met with SAIC and members of BDCP, with Bill Bennett calling in. There was representation from stakeholders, Fishery Agencies, and NGO's. They discussed the proposed short-listing criteria, and repackaging CSA's and elements. The next session with D. Reed will be Wed 5/9 10 a.m. Location and call-in TBA.

Conservation Strategy (CS) Workgroup: Update and Discussion (Walt and Paul)

Since the last SC meeting, CS Workgroup has made substantial progress. Two key products have been developed: 1) criteria for short-listing CSA's, and 2) conservation objectives.

Schedule:

4/23- In-depth discussion of CSA's and elements, and development of the process by which SAIC will apply the criteria to the long list of CSA's and elements.

5/7- Presentation of short-listing analysis by SAIC and discussion.

5/14- In-depth discussion of analysis and crafting of short list of CSA's to carry forward.

5/18- Presentation and review at SC meeting.

Handout #1: Draft Conservation Objectives.

The objectives have been revised twice based on feedback from the CS Workgroup. The objectives do not weight different species and are qualitative and unweighted. The current focus is on the ten covered fish species; however, the Covered Species list is anticipated to expand based on the effects of the Conservation Strategy that is selected and of the Covered Activities.

SC members suggested several wording changes to the Objectives. SAIC will incorporate those changes; the revised list will be considered the final Conservation Objectives for the purposes of short-listing.

Handout #2: Draft CSA's

An additional CSA was added to the previous nine, based on a proposal provided by several of the PRE's. CSA #10 (Split Delta, or Delta Corridors) was briefly described. The proposal recommends isolating fish from the south Delta pumps by separating the San Joaquin River and in-Delta conveyance flows, and by restoring habitat in the south and western Delta.

Monday 4/23 is the last day to add alternatives or elements to be included in the short-listing analysis.

Handout #3: Short-listing Criteria

Criteria were developed by SAIC and input was received at CS Workgroup meetings. Criteria fall into four categories: biological, planning, feasibility/durability/sustainability, and other resource impacts. Between 4/23 and 5/7 the criteria will be applied to the CSA's and elements; analysis will take the form of an in-depth narrative evaluation with summaries for each group of elements, by species. The CS Workgroup will then weigh the options and recombine elements based on the additional information and analysis.

Public Comments

Tom Zuckerman, DRMS. Wanted to clarify a couple of points about the DRMS planning process. The DRMS Steering Committee has been rigorous about maintaining a transparent process, particularly with respect to the relationship with contractors and consultants. The contractor had initiated work on mitigation analysis of an isolated facility but did not undertake risk analysis. The committee did not dispose of the option of an isolated facility, but rather has a task that does not lend itself to analyzing that

scenario. They are looking at local, in-Delta effects of catastrophic levee failures; an isolated facility wouldn't address those impacts. DRMS is working on flood control and land use planning, not listed species or water exports, like BDCP. Given the tight DRMS timeline, trying to merge them all together will be difficult. In addition, neither the steering committee nor technical committee for DRMS review environmental issues

Next Meeting

Friday, 5/4/07. Same time and location.